

REMARKS

Claims 7-9, 11-16, 19, and 20 are pending in the application. Claims 1-3, 5, and 6 were rejected under 35 USC 101. Claims 1-3, 5, 6, and 18 have been canceled without prejudice, thereby obviating the rejection.

Independent claims 7 and 13 recite an image sending device in which the resolution (or "processing contents") corresponding to the index of the image quality and the sending mode (or "sending route") differs from one sending mode (or "sending route") to another and differs from one index of the image quality to another in each of plural types of sending modes (or "sending routes"), as claimed.

Claims 1-3, 5-9, 11-16, and 18-20 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,488,483 to Murayama in view of U.S. Patent 6,289,137 to Sugiyama et al. ("Sugiyama"), further in view of U.S. Patent 6,714,315 to Yoshida, and further in view of U.S. Patent 6,614,551 to Peek. This rejection is respectfully traversed.

Regarding the rejection of independent claims 7 and 13 over the proposed combination of Murayama in view of Sugiyama, further in view of Yoshida, and further in view of Peek, the proposed combination does not teach or suggest an image sending device in which resolution (or "processing contents") corresponding to an index of image quality and a sending mode (or "sending route") differs from one sending mode/sending route to another and differs from one index of image quality to another in plural types of sending modes/sending routes, as claimed.

On page 11, first paragraph of the Office Action of 01/06/2010, it was admitted that the Murayama reference does not teach or suggest that "the resolution corresponding to the index of the image quality and the sending mode ... differs from one index of the image quality to another in each of the plural types of sending modes," as recited in independent claim 7 (see also independent claim 13).

The Sugiyama reference was cited allegedly to remedy the defects of Murayama. Referring to column 14, lines 54-63 of Sugiyama, various modes can be selected via a console unit 1104, including the transmission mode (direct transmission mode, memory transmission mode), which was cited by the Examiner as allegedly corresponding to the Applicants' claimed different "sending modes."

In Sugiyama, according to the direct transmission mode, an operator selects "standard, fine or super fine," which corresponds to a resolution at which a reading operation is carried out (see column 17, lines 43-49 of Sugiyama). According to the memory transmission mode, the operator selects either standard or fine, which corresponds to the resolution at which the reading operation is carried out (see column 18, lines 11-15 of Sugiyama).

However, in Sugiyama, regardless of whether the direct transmission mode or the memory transmission mode is selected, the resolution corresponding to the standard mode is 97.79 dpi, the resolution corresponding to the fine mode is 195.58 dpi, and the resolution corresponding to the superfine mode is 391.16 dpi (see column 15, lines 3-5; and column 18, lines 11-16 of Sugiyama).

Therefore, even if Sugiyama was somehow combined with Murayama, the proposed combination would not teach or suggest that the resolution (or "processing contents") corresponding to an index of image quality and a sending mode (or "sending route") differs from one sending mode/sending route to another and differs from one index of image quality to another in plural types of sending modes/sending routes, as claimed.

For at least the reasons discussed above, the proposed combination of Murayama in view of Sugiyama, further in view of Yoshida, and further in view of Peek, does not teach or suggest the Applicants' invention. Therefore, independent claims 7 and 13 and their respective dependent claims are patentable over the proposed combination.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

/Steven M. Jensen/

Date: April 5, 2010

Steven M. Jensen
(Reg. No. 42,693)
Edwards Angell Palmer & Dodge
P.O. Box 55874
Boston, MA 02205

Phone: (617) 517-5531

Customer No. 21874